

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

-

WRIT PETITION NO.4570 OF 2006

Date: 09-03-2006

Between:

M/s Sri Durga Enterprises ... Petitioner

And

The Joint Commissioner of Commercial

Taxes (Legal) and others ... Respondents

-

-

-

-

-

-

-

-

-

-

-

-

AND

—

WRIT PETITION NO.4570 OF 2006

O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

-

Heard learned counsel for the parties. With their consent, the writ petition is disposed of at this stage.

The controversy is that pending appeals, applications for stay filed by the petitioner were dismissed by the competent authority. We have gone through the record and heard learned counsel for the parties. We feel that the interest of justice would have been met if stay was granted pending appeals, subject to deposit of 50 per cent of the disputed tax. Therefore, we set aside the order of the authority and direct that 50 per cent of the disputed tax shall be paid by the petitioner on or before 31st March, 2006. Till 31st March, 2006, there shall be an unconditional stay and the stay shall continue till disposal of the appeals, provided the amount is deposited within the time stipulated above. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeals.

The writ petition is accordingly disposed of. No costs.

(Bilal Nazki, J)

9th March, 2006

(G.Chandraiah, J)

-

vrn